

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**DEON L. SPIVEY,**  
Plaintiff,

v.

**Case No. 06-C-585**

**SHERIFF DAVID A. CLARKE, JR.,  
MICHAEL GAREBNER and  
MILWAUKEE COUNTY,**  
Defendants.

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**ORDER**

Plaintiff Deon L. Spivey has died. On May 14, 2007, I ordered that plaintiff's attorney could file a motion to substitute party and/or motion to amend the complaint within 30 days. See Fed. R. Civ. P. 25(a)(1). I also advised that if no motion was filed within 30 days, this action would be dismissed. No motion has been filed.

**Therefore,**

**IT IS ORDERED** that this action is **DISMISSED**.

**IT IS FURTHER ORDERED** that the Clerk of Court enter judgment dismissing plaintiff's claims and this action.

Dated at Milwaukee, Wisconsin, this 25 day of June, 2007.

/s \_\_\_\_\_  
LYNN ADELMAN  
District Judge